HIGH COURT OF UTTARANCHAL AT NAINITAL.

Criminal Revision No. 622 of 2001
(Old No. 170/1992)

Victor S/o Harish …….. Revisionist

Vs.

State of U.P. …….Respondent

Hon'ble Irshad Hussain, J.

None appear for the revisionist. Heard Sri H.C.Pandey learned A.G.A. and perused the record.

The criminal revision under section 397/401 of the Code of Criminal Procedure (for short 'Code') was filed against the judgment and order dated 19.3.1991 passed in criminal appeal no.41/1990 affirming the order dated 23.7.1990 passed by the CJM, Dehradun imposing penalty of Rs. 5000/- on the revisionist-surety under section 446 of the Code.

When the petition was filed before the Allahabad High Court, it was not admitted as it was beyond time by 110 days. No affidavit has been filed to explain the delay and therefore there is no justification to seek admission of a time barred revision. The revision being time barred therefore cannot legally be admitted and the same is dismissed accordingly. Consign.

(Irshad Hussain, J.)

Dated 06.05.2004

Rawat